

REMARKS

The Advisory Action dated June 2, 2009 and the Final Office Action, dated March 9, 2009, has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto. Applicants respectfully request non-entry of the amendment submitted on May 7, 2009.

Claims 1, 3, 4, 6-9, 11 and 12 were pending. Claims 2, 5, and 10 were previously canceled. Claims 1, 3, 4, 6, 9, 11 and 12 have been allowed. By this amendment, claim 8 is canceled and claims 1 and 7 are amended. Thus, upon entry of the amendments herein, claims 1, 3, 4, 6, 7, 9, 11 and 12 will be pending in this application.

Support for the amendments can be found in the Specification and claims as originally filed. Applicants submit that no new matter has been added. Claim 1 has been amended to delete definitions of K and B because radicals K and B in formula (I) of claim 1 have been defined as zero. Support for the formula (I), $R-NR_{1c}-(K)_{k0}-(B)_{b0}-(C)_{c0}-NO_2$, can be found, for example, on page 2, line 8 of the Specification. Also, the amendments to claim 1 herein delete a redundant recitation of "straight or branched C₁-C₆-alkyl" in the definition of Q in formula (IIA). Applicants note that the amendments to claim 1 do not narrow claim 1 in any manner. Claim 7 has been amended as discussed below.

New matter rejection

In the Advisory Action dated June 2, 2009, the Examiner rejected claim 1 because an amendment to the formula (I) allegedly raised a new matter issue. Applicants have replaced the formula $R-NR_{1c}-(C)_{c0}-NO_2$ with the formula $R-NR_{1c}-(K)_{k0}-(B)_{b0}-(C)_{c0}-NO_2$ to expedite prosecution.

Rejection under 35 U.S.C. § 112, second paragraph

The Examiner has maintained the rejection of claims 7 and 8 under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicants traverse this rejection.

Applicants have amended claim 7 to clarify that a NO-donor compound comprises a radical of a drug selected from the group consisting of: aspirin, salicylic acid, ibuprofen, paracetamol, naproxen, diclofenac and flurbiprofen and at least a group that is an $-ONO_2$ group or an $-ONO$ group. Support for this amendment can be found, for example, in the Specification on page 17, lines 28-31. Claim 8 has been canceled rendering the rejection of claim 8 moot.

In light of these amendments, Applicants respectfully request reconsideration and withdrawal of the outstanding 35 U.S.C. § 112, second paragraph rejections.

Allowable Subject Matter

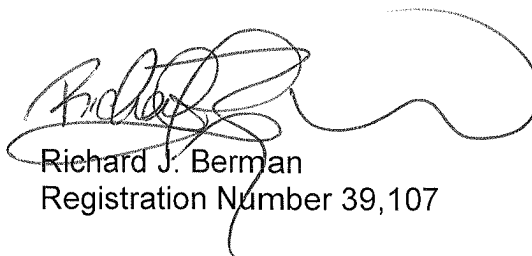
Applicants thank the Examiner for indicating that claims 1, 3, 4, 6, 9, 11 and 12 are allowable.

CONCLUSION

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

Applicants believe that no fees are due at this time. However, in the event this response is not timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension, along with any other additional fees which may be required with respect to this response, may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 026220-00066.

Respectfully submitted,



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